

REMARKS

Reconsideration is respectfully requested in light of the amendments above and the remarks that follow.

In the specification, minor typographical revisions have been made to paragraphs [00063] and [00064].

Claims 1 and 5-24 are pending. Claims 2-4 have been canceled. Claim 1 has been amended, and new claims 20-24 have been added. Support for amended claim 1 and new claims 20-24 is found, for example, in paragraphs [00010]-[00012], [00017]-[00018], [00028], [00031], [00036]-[00039], and [00050] of the specification as filed.

Election in Response to the Restriction Requirement

For clarity, Applicants reiterate the Examiner's view of distinct inventions as expressed in the Restriction Requirement:

Group I, claims 1, 3, 5, 6, and 9, drawn to methods of examining the physiological effect of a compound on a cancer cell comprising determining an abnormal level of mRNA encoding a polypeptide of interest in said cancer cell;

Group II, claims 2, 4, 6, 8, and 19, drawn to methods of examining the physiological effect of a compound on a cancer cell comprising determining an abnormal level of a polypeptide of interest in said cancer cell;

Group III, claim 11, drawn to a method of inhibiting growth of hormone refractory prostate cancer cell comprising decreasing the biological function of androgen receptors comprising affecting androgen receptor DNA levels;

Group IV, claim 11, as specifically drawn to a method of inhibiting growth of hormone refractory prostate cancer cell comprising the biological function of androgen receptors comprising affecting androgen receptor mRNA levels;

Group V, claims 11-16, as specifically drawn to a method of inhibiting growth of hormone refractory prostate cancer cell comprising decreasing the biological function of androgen receptors comprising affecting androgen receptor protein levels;

Group VI, claim 17, drawn to a method for determining if a prostate cancer cell is hormone sensitive or has become hormone refractory comprising determining the level of mRNA in a cell that encodes the androgen receptor polypeptide and comparing that level to the level of mRNA encoding androgen receptor polypeptide in a hormone sensitive prostate cancer cell; and

Group VII, claim 18, drawn to a method for determining if a prostate cancer cell is hormone sensitive or has become hormone refractory comprising determining the level of androgen receptor polypeptide in a selected cell and comparing that level to the level of androgen receptor polypeptide in a hormone sensitive prostate cancer cell.

In light of the requirement to elect, Applicant elects Group I, i.e., claim 1 as amended, claims 5, 7, and 9, and new claims 20-24, without traverse.

Although the election of Group I is made without traverse, Applicant specifically reserves the right to rejoinder of the remaining claims and withdrawal of the Restriction Requirement upon allowance of a claim of Group I and amendment of the remaining claims to include all limitations of the allowed claim, pursuant to MPEP § 821.04.

In light of Applicant's election of Group I without traverse, the requirement to elect a species presented within Group V is rendered moot.

Applicant respectfully requests that the name of the first-named inventor in the record be corrected to

Charles L. Sawyers

(that is, the terminal "s" of the surname should be included).

Applicant hereby requests the grant of a three-month extension of time for the filing of this Amendment and Response to Restriction Requirement. Applicant requests the Commissioner for Patents to charge the fee of \$555 due for a three-month extension of time for a small entity to Deposit Account Number 22-0261, under Order Number 58086-232451. If any additional fee or any refund is deemed due, Applicant authorizes the Commissioner for Patents to charge the fee or credit the refund to Deposit Account Number 22-0261, under Order Number 58086-232451.

Applicant maintains that all pending claims, claims 1 and 5-24, are patentable and that, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Applicant respectfully requests that a Notice of Allowance of all pending claims elected, that is, at least claim 1 as amended, claims 5, 7, and 9, and new claims 20-24, be timely issued in this case.

Respectfully submitted,

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